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e-mail: intrprop@ssmp.com

SCULLY, SCOTT, MURPHY
& PRESSER

Fax

To: U.S. Patent & Trademark Office From: Anna Eberle for Thomas Spinelli

Fax: 703-746-9195 Pages: 11

Phone: 703-306-5612 Date: 4/12/2004

USSN: 10/721,518

Re: Our Docket: 17280 CC:

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• Comments:

With reference to the filing date stamped on the postcard and the official filing receipt for the above-identified patent application, attached is a copy of the original Express Mail Label evidencing a Date In of November 25, 2003 together with the track and confirm from the USPS Website also evidencing an "Acceptance" date of November 25, 2003. The transmittal papers for the application were dated November 25, 2003, as also evidenced on the Certificate of Mailing. Please correct the Patent Office records accordingly and insure that the filing receipt has the correct date of November 25, 2003 thereon. Thank you.

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10/721,518	11/24/2003	3739	856	17280	21	9	4

23389
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 400 GARDEN CITY PLAZA
 GARDEN CITY, NY 11530

CONFIRMATION NO. 5316
FILING RECEIPT

 "OC00000011964283"

Date Mailed: 02/25/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Koji Yamaya, Tokyo, JAPAN;
 Haruhiko Ueno, Tokyo, JAPAN;
 Koji Nakamoto, Tokyo, JAPAN;
 Hisao Yabe, Tokyo, JAPAN;

Assignment For Published Patent Application:

Olympus Corporation, Tokyo, JAPAN;

Domestic Priority data as claimed by applicant
Foreign Applications

JAPAN 2002-344216 11/27/2002
 JAPAN 2002-364204 12/16/2002
 JAPAN 2002-364205 12/16/2002
 JAPAN 2002-365730 12/17/2002

If Required, Foreign Filing License Granted: 02/24/2004

Projected Publication Date: 06/03/2004

Non-Publication Request: No

Early Publication Request: No

Title

Endoscope apparatus

Preliminary Class

600

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 17280
Applicant(s): Koji Yamaya, et al.			
Serial No. Unassigned	Filing Date Herewith	Examiner Unassigned	Group Art Unit Unassigned
Invention: ENDOSCOPE APPARATUS			
<p>I hereby certify that this <u>New Patent Application</u> <small>(Identify type of correspondence)</small></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>November 25, 2003</u> <small>(Date)</small></p> <p style="text-align: right;"><u>Thomas Spinelli</u> <small>(Typed or Printed Name of Person)</small></p>  <small>(Signature of Person)</small>			
<p><u>EV 247989971 US</u> <small>("Express Mail" Mailing Label Number)</small></p>			
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UTILITY PATENT APPLICATION TRANSMITTAL
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Docket No.
17280Total Pages in this Submission
4**TO THE COMMISSIONER FOR PATENTS**

Mail Stop Patent Application
 P.O. Box 1450
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Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

ENDOSCOPE APPARATUS

and invented by:

Koji Yamaya
 Haruhiko Ueno
 Koji Nakamoto
 Hisao Yabe

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

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Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 87 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

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Docket No. 17280

Total Pages in this Submission 4

Application Elements (Continued)

3. Drawing(s) (when necessary as prescribed by 35 USC 113)
 - a. Formal Number of Sheets 21
 - b. Informal Number of Sheets _____
4. Oath or Declaration.
 - a. Newly executed (original or copy) Unexecuted
 - b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
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 - d. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. Application Data Sheet (See 37 CFR 1.76)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(B) Statement (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Certificate of Mailing

First Class Express Mail (Specify Label No.): EV 247989971 US

**UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.
17280Total Pages in this Submission
4**Accompanying Application Parts (Continued)**

17. Additional Enclosures (*please identify below:*)

Assignee Name: Olympus Corporation
Assignee Address: Tokyo, Japan

Claim of Priorities (herewith)

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
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Docket No.
17280

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4

[19] Correspondence Address

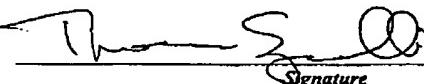
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Fee Calculation and Transmittal

CLAIMS AS FILED

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Total Claims	9	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	4	- 3 =	1	x \$86.00	\$86.00
Multiple Dependent Claims (check if applicable)					\$0.00
				BASIC FEE	\$770.00
OTHER FEE (specify purpose)					\$0.00
				TOTAL FILING FEE	\$856.00

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- Charge the amount of _____ as filing fee.
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 - Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).



Thomas Spinelli
Registration No. 39,533

Dated: November 25, 2003

TS:dg
cc:

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- ENROUTE, November 25, 2003, 7:55 pm, GARDEN CITY, NY 11599

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2. New Patent Application (87 pages including claims & abstract)
3. Twenty-one (21) sheets of formal drawings
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5. Assignment with recordal (check \$40)
6. Claim of Priorities (herewith)
7. Certified Copies of Priority Documents
8. Certificate of Express Mail #EV 247989971 US

Applicants: Koji Yamaya, et al.

Filed: Herewith

Serial No.: Unassigned

For: ENDOSCOPE APPARATUS

Docket: 17280

Dated: November 25, 2003

TS:dg

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. New Utility Patent Application Transmittal (in duplicate; check \$856.00)
2. New Patent Application (87 pages including claims & abstract)
3. Twenty-one (21) sheets of formal drawings
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Applicants: Koji Yamaya, et al.

Filed: Herewith

Serial No.: Unassigned

For: ENDOSCOPE APPARATUS

Docket: 17280

Dated: November 25, 2003

TS:dg

10721518

11/24/03